

Exhibit 2

Deposition of Balinder Mehat, Senior / July 27, 2011

Page 1

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

CITY OF FRESNO,)	
)	
Plaintiff,)	
)	
vs.)	No.: 04 CIV 4973
)	(SAS) MDL1358
CHEVRON U.S.A. INC., et al.,)	
)	
Defendants.)	
)	
)	

VIDEOTAPED DEPOSITION OF:

BALINDER MEHAT, SENIOR

July 27, 2011 at 1:05 p.m.

Reported By: SHANNON D. DENNEY
CSR No. 10385

Deposition of Balinder Mehat, Senior / July 27, 2011

Page 12

1 Q. If you could turn two more pages where it's
2 labeled Attachment. And there's a list starting with
3 number one.

4 A. Uh-huh.

5 Q. Did you have a chance to look at the list of
6 documents requested in this attachment?

7 A. Before?

8 Q. Before now, have you had a chance to look
9 over --

10 A. No. I don't look at.

11 Q. Let's take a moment right now then. You see
12 starting with number one, it asks for any bills of
13 lading for shipments, deliveries, or receipts of
14 gasoline for the stations listed there, which includes
15 2929 North Blackstone.

16 Do you have any such records showing gasoline
17 deliveries to the station?

18 A. No.

19 Q. Do you have any invoices of gas deliveries to
20 the station?

21 A. No.

22 Q. As my understanding, you no longer are
23 affiliated with that station?

24 A. No.

25 Q. Do you know what happened to the records

1 after you stopped working with that station?

2 A. We sold it long time ago, I think. So I
3 don't remember, maybe 1998, something like that. So
4 that time the state board, I'm sure, I think so, but
5 not sure, I think they order to us, and we keep three
6 years by the state records stuff. After that we throw
7 away everything.

8 Q. So after about three years after you
9 stopped --

10 A. Maybe three or four. I don't remember. But
11 we cleaning out room, then we see no letter came. No
12 nothing came. And we throw away everything.

13 Q. So you're saying you didn't receive anymore
14 documents regarding the station --

15 A. Station, something like that, you know, that.
16 So I throw away.

17 Q. How about number seven mentions any
18 correspondence with any of the companies listed there.
19 It goes on like for -- some more on the next page.

20 Do you have any such records regarding the
21 station?

22 A. No.

23 Q. Number eight talks about any jobber records
24 regarding the station.

25 Do you still have anything like that?

Deposition of Balinder Mehat, Senior / July 27, 2011

Page 63

1 A. I think so. But I'm not sure.

2 Q. Did you ever hear what refiners produced
3 gasoline that was delivered to the Fresno station?

4 A. No. No.

5 Q. Did you ever hear if any branded gasoline was
6 being delivered to the Fresno station?

7 A. No. I don't know.

8 Q. Have you heard of MTBE?

9 A. MTBE, what the company name?

10 Q. No. Methyl Tertiary Butyl Ether. I'll spell
11 that for you later.

12 A. I don't know.

13 Q. Did you ever hear something called MTBE being
14 added to gasoline?

15 A. No. I don't know.

16 Q. Did you ever hear there were different
17 formulas of gasoline sold in different seasons of the
18 year?

19 A. I remember little bit, they call ethanol.
20 And I don't know that time we do it or not.

21 Q. Beside ethanol, did you hear, for example, if
22 there was oxygenated gasoline?

23 A. No. I never heard of anything else.

24 Q. Did you hear that the gasoline at the
25 stationed had ethanol in it during some times of the

UNITED STATES DISTRICT COURT

CITY OF FRESNO,

Plaintiff,

vs.

CHEVRON U.S.A. INC., et al.,

Defendants.

No.: 04 CIV 4973
(SAS) MDL1358

VIDEOTAPED DEPOSITION OF:

BALDEV SINGH SANDHU

July 27, 2011 at 9:05 a.m.

Reported By: SHANNON D. DENNEY
CSR No. 10385

1 go get your glasses?

2 A. My glasses they are in Madera.

3 Q. In Madera. Okay. Well, this may take a
4 little bit longer then if we have to read things to
5 you, I guess.

6 I have handed you what I have marked as
7 Exhibit 1, a Notice of Deposition.

8 Do you recall receiving a Notice of
9 Deposition or a subpoena is the reason you're here
10 today?

11 A. Yes.

12 Q. In the subpoena there's a list of documents
13 that were requested on an attachment, such as any bills
14 of lading for the station, invoices, records of
15 shipments of gasoline.

16 Do you have any such records regarding 2929
17 North Blackstone?

18 A. I believe we was out of there in 1997. So
19 quite a bit, 15 years, we don't have it.

20 Q. Beside the station at 2929 North Blackstone,
21 did you ever work at any other gas station?

22 A. Yes.

23 Q. Where were they located?

24 A. I used to own property in Chowchilla, 1505.

25 Q. Approximately, what years was that property

1 related. Otherwise, no.

2 Q. Is it correct that you didn't bring any
3 documents here with you today, other than it looks like
4 a copy of the subpoena?

5 A. I don't have. I don't have it.

6 (Whereupon Exhibit 2 was marked for
7 identification.)

8 MR. EICKMEYER: Q. Mr. Sandhu, I'm going to
9 mark a number of exhibits, ask you questions about if
10 there's any chance you can see any of them, please let
11 us know. Otherwise, I'll, I guess, ask you been what's
12 written on this. I'll just have to read it.

13 Exhibit 2 is titled County of Fresno
14 Environmental Health Application. Bates is FCDEH,
15 hyphen Fresno, hyphen 035878.

16 This indicates business name, which I'm not
17 clear if it's U & A or U.S.A. Mini Mart at 2929 North
18 Blackstone. There's a date at the center right of
19 1/16/91.

20 Do you recall, Mr. Sandhu, approximately when
21 you took over the station in Fresno?

22 A. I don't remember exactly. But it has to be
23 in that late part of, I believe '90 or '91.

24 Q. You mentioned you had a station in Chowchilla
25 about the same time as Fresno?

1 you said Delta Petroleum, a Joe you didn't remember his
2 last name, Joe Gomes, Total Energy, did you buy from
3 these different jobbers during the time you operated
4 the station?

5 A. Yes.

6 Q. Did you ever have any contracts to buy gas
7 exclusively from one jobber for any time period?

8 A. No.

9 Q. For these different jobbers that provided
10 gasoline to the station, did you ever learn the names
11 of the refiners who had refined the gasoline being
12 delivered?

13 A. There always on the bill of lading, but I
14 don't remember it.

15 Q. Do you recall any of the names of the
16 refiners?

17 A. No.

18 Q. Do you recall ever being told by any of the
19 jobbers that any particular brand of gasoline was being
20 provided to you?

21 A. From time to time on these bigger refiners,
22 they sell both -- less and branded under brand, but I
23 have no idea.

24 Q. Do you have any recollection of any of the
25 brands that were being delivered to the station?

Deposition of Baldev Singh Sandhu / July 27, 2011

Page 35

1 A. No.

2 Q. Do you recall ever requesting a particular
3 brand of gasoline to be delivered to the station?

4 A. No.

5 Q. Do you recall ever learning from what
6 terminals the gasoline came that was being delivered to
7 the station?

8 A. No.

9 Q. Have you ever heard of MTBE?

10 A. Yes.

11 Q. Do you recall ever learning that MTBE was in
12 gasoline being delivered to the station?

13 A. I recall, but I notice there was a new
14 regulation MTBE, whatever it was. I don't know what's
15 in the gas now. But I recall the environment make
16 changes from time to time. But I have no idea what it
17 does, or what it does not does, so what it stands for
18 it. So only thing part of the gas, not part of the
19 gas, it includes MTBE. I have no idea.

20 Q. Do you recall when you first learned that
21 MTBE was in the gas being delivered to the station?

22 A. No.

23 Q. Do you recall when you first took over the
24 station if MTBE was in the gas at that point?

25 A. I think MTBE came later. Not at that time.

Deposition of Dalibir Singh / August 9, 2011

Page 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-000-

In re: Methyl Tertiary Butyl
Ether ("MTBE") Products
Liability Litigation

Master File No.
1:00-1898

This Document Relates To:

City of Fresno
V. Chevron U.S.A. Inc., et al.,
Case No. 04 Civ. 4973

Case No.
MDL 1358 (SAS)

DEPOSITION OF DALIBIR SINGH

August 9, 2011 at 2:00 p.m. (2:40)

Before: MICHELLE ELYSE BANDY
CSR #13590

Taken at:
Fresno, California

Deposition of Dalibir Singh / August 9, 2011

Page 11

1 were working at the station -- the gas station at 2929
2 North Blackstone in Fresno?

3 A. Yes, sir.

4 Q. What the questions are generally -- and we'll
5 give you time if you would like to read them. They're
6 asking for number one, for example, if you had any
7 bills of lading related to the station. Do you still
8 have any such documents?

9 A. No, sir.

10 Q. It goes on to ask if you have any invoices for
11 shipments or deliveries or receipts of gasoline. Do
12 you have any such documents?

13 A. No.

14 Q. Do you have any lease or purchase agreements
15 for gasoline?

16 A. No, sir.

17 Q. Under number seven it asked if you had any
18 correspondence with any of the oil companies or
19 refiners listed there, and it goes on to the top of
20 the next page a little bit?

21 A. No.

22 Q. Number eight asked if you have any
23 correspondence or documents from any jobbers who
24 delivered gasoline to the station?

25 A. No, sir.

Deposition of Dalibir Singh / August 9, 2011

Page 12

1 Q. And then next series of questions asked if you
2 have any documents about any leaks -- leak detections,
3 equipment at the station?

4 A. No.

5 Q. Do you still have any documents in regard to
6 any gasoline deliveries made to the station?

7 A. No, sir.

8 Q. You're not currently working at the station,
9 correct?

10 A. I am working but not at that one.

11 Q. Right.

12 A. Other station but not that one.

13 Q. Okay. We'll clarify that for the record. Were
14 there any such documents requested here that you are
15 aware of, for example, being in a storage facility or
16 given to anyone to hold for safe keeping?

17 A. No, sir.

18 Q. Did you bring any documents with you today
19 besides your copy of the subpoena?

20 A. No.

21 Q. I know it was kind of mentioned you were here
22 last week when we had the deposition of another
23 witness in regard to this station. Did you talk to
24 him after the deposition about his testimony?

25 A. Not on this issue but we talked to each other

1 Q. After the negotiations didn't work out, then
2 there was no interest at the station in doing business
3 with Exxon?

4 A. Yes. Another thing happened in buying that
5 load, you know. Mr. Sanidhu, I think, whatever the
6 price they go to him and then they charge you a
7 price. Exxon people. And, you know, so whatever we
8 owe them I wrote the check to them, and then they
9 said you owe us more money. And they ran to the
10 court and tried to collect more money, you know. So
11 after that we never ordered any gas load to Exxon,
12 sir.

13 Q. So for buying gasoline from Total Energy, was
14 Total used during the entire period from December 1990
15 to about 1998 to deliver gas to the station?

16 MS. DOYLE: Objection. Calls for
17 speculation.

18 THE WITNESS: To my knowledge, yes, sir.

19 BY MR. EICKMEYER:

20 Q. Besides Total Energy and Exxon, do you recall
21 any other companies that delivered gasoline to the
22 Blackstone station?

23 A. I don't know. -- don't know, sir.

24 Q. Did you ever have an understanding as to who
25 the refiner was of the gasoline being delivered by

Deposition of Dalibir Singh / August 9, 2011

Page 50

1 Total Energy?

2 MS. DOYLE: Objection. Calls for
3 speculation.

4 THE WITNESS: I don't know, sir.

5 BY MS. DOYLE:

6 Q. When the gasoline was delivered to the station,
7 is it correct it was delivered by tanker trucks?

8 A. Yes, sir.

9 Q. Were you given paperwork such as a bill of
10 lading when gasoline was delivered?

11 A. When the gasoline delivered, you know, they
12 leave invoice and they send the, you know. They
13 leave the paperwork, you know, when they deliver the
14 gas. Then they send the real invoice to the station,
15 and then they bill the check to them.

16 Q. Do you recall if the paperwork delivered with
17 the gasoline indicated who the refiner was on it?

18 A. No. I don't know, sir.

19 Q. Do you know if any of those invoices from the
20 Blackstone station are still kept at the Chowchilla
21 station or any place else?

22 A. Everything was kept like four, five years, and
23 after that, you know, we have so much paperwork, you
24 know, we just shred it up, destroy it.

25 Q. When there was gasoline needed at the station